



ZACHARY W. CARTER
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

DANIEL G. SAAVEDRA
Assistant Corporation Counsel
Phone: (212) 356-0892
Fax: (212) 356-3509
dsaavedr@law.nyc.gov

November 11, 2016

BY E.C.F.

Honorable James L. Cott
United States Magistrate Judge
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *Alli Umar v. Security Officer Pedlar, et al.*, 14 Civ. 10257 (RA) (JLC)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department, and the attorney assigned to the defense of the above referenced matter on behalf of defendants City of New York, Dora Schriro, and Correction Officers Fluker, and Wong (hereinafter “defendants”). Defendants write to respectfully request a one (1) week extension of time, from November 14, 2016 until November 21, 2016, to serve and file their anticipated motion to dismiss and opposition to the Second Amended Complaint. Plaintiff’s counsel, Ryan M. Lozar, Esq., consents to this request. This is defendants’ first request for an extension of time to file the aforementioned motion.

By way of background, plaintiff alleges that defendants violated his constitutional rights while he was incarcerated on Rikers Island in early 2012. Specifically, plaintiff alleges, *inter alia*, that he was subjected to excessive force on January 10, 2012 and February 23, 2012.

On October 6, 2016, the Court held a conference in the above-referenced matter to discuss plaintiff’s proposed Second Amended Complaint. At the conference, the undersigned informed the Court that defendants intended to oppose the Second Amended Complaint and to move to dismiss certain claims and defendants. The Court thereafter set a briefing schedule for this motion, requiring defendants to file any such motion by November 14, 2016. Due to scheduling difficulties and the need for supervisory review of the motion, defendants respectfully request a one (1) week extension of time, from November 14, 2016 until November 21, 2016, to file and serve their anticipated motion. In turn, defendants respectfully request a corresponding one (1) week extension of time for plaintiff to oppose defendants’ motion and for defendants to reply to plaintiff’s opposition.

Defendants thank the Court for its consideration of this request.

Respectfully submitted,

/s/

Daniel G. Saavedra
Assistant Corporation Counsel
Special Federal Litigation Division

cc: Ryan M. Lozar, Esq. (By ECF)